

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Criminal No. 14-373 MJD/JJK

Plaintiff,

v.

ORDER

(1) Thurlee Belfrey,
(2) Roylee Belfrey,

Defendants.

Robert M. Lewis, Esq., Assistant United States Attorney, for the plaintiff,
United States of America;

Deborah K. Ellis, Esq., for defendant Thurlee Belfrey; and

Kevin W. DeVore, Esq., for defendant Roylee Belfrey.

The above-entitled matter comes before the Court on Defendants' objections to the Report and Recommendation of Magistrate Judge Jeffrey K. Keyes dated October 23, 2015 recommending that the Court deny their motions to dismiss the Superseding Indictment.

Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based on that review, the Court will adopt the Report and Recommendation and deny Defendant's motion to

dismiss.

IT IS HEREBY ORDERED that:

1. Defendant Roylee Belfrey's Motion to Dismiss Superseding Indictment Pursuant to Fed. R. Crim. P. 12(b)(3)(iii) and (v) is **DENIED** (Doc. No. 72); and

2. Defendant Thurlee Belfrey's Motion to Dismiss Superseding Indictment Pursuant to Rules 12(b)(3)(iii) and (v), Fed. R. Crim. P. Is **DENIED** (Doc. No. 79).

Date: December 22, 2015

s/ Michael J. Davis

Michael J. Davis

United States District Court